

COHEN GREEN

August 24, 2022

Hon. Lewis A. Kaplan
United States District Court - Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Casablanca-Torres v. City of New York, et al.*, 21-cv-10832 (LAK)(JLC)

Your Honor:

I am co-counsel for Plaintiff in the above captioned matter. Plaintiff's response to Defendants' partial motion to dismiss is due by August 29, 2022 (Dkt. 49). Plaintiff respectfully requests leave to file a memorandum of law in opposition thereto that is up to 10 pages over the Court's 35-page limit. Defendants consent to this request.

Plaintiff's 74-page complaint pleads separate claims for relief, including substantial *Monell* claims that mirror those Judge McMahon considered and largely declined to dismiss in the consolidated actions in *In re NY City Policing During Summer 2020 Demonstrations*, 548 F Supp 3d 383 (SDNY 2021), and numerous additional state law claims. Defendants have moved to dismiss virtually all of those claims. Both the underlying pleading and Defendants' briefing involve complicated legal questions and underlying facts. If the Court grants Plaintiff's application, the additional pages requested will allow Plaintiff to present those facts and legal issues to the Court in a more comprehensive and helpful manner. Additionally, Defendants have purported to move to bifurcate Plaintiff's *Monell* claims along with their motion to dismiss. Plaintiff believes there are both procedural and substantive grounds based on which the Court should deny that application. Responding to Defendants' bifurcation arguments will take up additional territory in Plaintiff's opposition briefing.

For those reasons, Plaintiff requests the Court's leave to file a memorandum of law that is up to 45 pages in length in opposition to the Defendants' partial motion to dismiss.

Respectfully submitted,

/s/

Elena L. Cohen